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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,665	04/27/2000	DAVID WILKINS	AND1P597	4368

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/07/2005

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GROUP 3600

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/560,665
Filing Date: April 27, 2000
Appellant(s): WILKINS ET AL.

Steven C. Lieske
Reg. No. 47,749
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed December 30, 2004.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

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Appellant's brief includes a statement that claims 1, 2, 4-7, 9-12, 14 and 15 are grouped together with respect to the rejections under 35 U.S.C. 103(a). Thus, Claims 1, 2, 4-7, 9-12, 14 and 15 will stand or fall together, based on the rejection of Claim 1.

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

5,946,669	Polk	8-1999
www.singleparentcentral.com	Single Parent Central	Retrieved from Internet Archive Wayback Machine <www.archive.org> Date Range: 10/13/1999- 1/19/2000

(10) *Grounds of Rejection*

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is unpatentable under 35 U.S.C. 103(a) over Polk in view of Single Parent Central.

3. As per independent Claim 1, Polk discloses a method for providing a network-based child financial support framework for facilitating communication between employers, custodial parents, and non-custodial parents (payment facilitation from non-custodial parent (employee) to employer (collector) to accumulator to custodial parent), abstract, Fig.4), comprising the steps of: (a) maintaining a database including information on a received financial support payment utilizing a network (200); (b) providing general information relating to the financial support payment utilizing the network (Figs.5-7, C9 L34-46, Claims 1-8); and (d) displaying a history associated with the financial support payment (C14 L21-26, C14 L48-50).
4. Although, Polk does disclose (c) calculating a proper amount of the financial support payment (1810, Fig.18; C17 L57-66), wherein a first portion of the profile (payment information – amount, date, etc., C14 L21-30) is received from the user across the network and a second portion of the profile is received from the database (Initiator Database, C14 L35-40; Disbursement Database, C14 L35-57), and wherein the user may change the data in the second portion of the profile (C14 L21-57 – once payment is made the Disbursement database (payments made/disbursed - second profile) is updated to reflect historical information).
5. Polk fails to expressly disclose, wherein the financial support payment is based on a profile of a user and based on an amount paid to date from a non-custodial parent, and wherein the profile includes data relating to *at least one of* income, number of

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children, basic support, insurance premium, child care cost, and additional expenses.

6. However, Single Parent Central teaches the use of a Child Support Calculator through a child support information resource website, which is based on a wide variety of non-custodial and custodial information, to include: Monthly Gross income (profile information), Health insurance, and Alimony Paid (*an amount* paid to date from a non-custodial parent) (www.singleparentcentral.com, pgs.8-9).
7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, and wherein the user may change the data in the profile, as disclosed by Single Parent Central in the system disclosed by Polk, for the advantage of providing a method for providing a network-based child financial support information site, with the ability to give the parents tailored financial information.

(11) Response to Arguments

8. The Appellant has made the argument that the cited prior art fails to teach or suggest (a) calculating a Proper Amount of the Financial Support Payment Based on Both a User Profile and an Amount Paid.

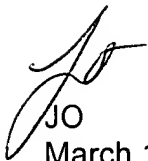
9. However, Polk does suggest a calculation system, wherein the State tracks the amount of support paid by the non-custodial parent (C15 L54-59), and wherein the State and/or the system intermediary calculate the proper amount of financial support payment due (figs.17-20, C17 L57-66, C19, L63-67).
10. Furthermore, Single Parent Central discloses a detailed Child Support Calculator (pgs.8-9), which is based on a wide variety of non-custodial and custodial information, to include: Monthly Gross income (profile information), Health insurance, and Alimony Paid (*an amount* paid to date from a non-custodial parent).
11. Finally, the independent claims have been amended to reflect a support calculator, which is based on an amount paid to date from a non-custodial parent. However, the Calculator described in the specification and shown in Fig.16 does not include an amount paid to date from a non-custodial parent, and is very similar to the calculator disclosed by Single Parent Central.
12. The Appellant has also made the arguments (b-d) that the cited prior art of Polk in view of Single Parent Central fails to disclose a (b) user profile including profile information, wherein (c) a user profile is received from both a user and a database, and (d) allowing the user to change the portion of the profile in the database.
13. However, Polk does disclose receiving payment information (amount, date, etc., C14 L21-30) from the user (first portion of profile) and a second portion of the profile is received from the database (Initiator Database, C14 L35-40; Disbursement Database, C14 L35-57).

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14. Polk also discloses wherein the user may change the data in the second portion of the profile (C14 L21-57 – once a payment is made, the Disbursement database (payments made/disbursed - second profile) is updated to reflect historical information).

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

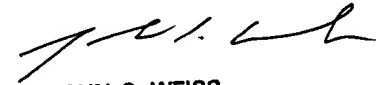


JO
March 1, 2005

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